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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BARBARA SILVA,

Case No. C-09-03649 JCS

Plaintiff,

v.

CITY OF SAN LEANDRO, ET AL.,

Defendants.

SPECIAL VERDICT FORM: PHASE ONE

DATED: January 19, 2011


Hon. Joseph C. Spero
UNITED STATES MAGISTRATE JUDGE

JURY VERDICT– PHASE ONE

We, the jury, unanimously find as follows:

1. Did Officer Sellers reasonably believe at the time he shot Plaintiff's dog that the dog was moving in a threatening manner towards Officer Sellers or the other officers?

Yes _____ No _____

Go to Question No. 2.

2. Did Plaintiff prove by a preponderance of the evidence that Officer Sellers committed an unreasonable seizure, under all of the circumstances, in violation of Plaintiff's Fourth Amendment rights when he shot Plaintiff's dog?

Yes _____ No _____

SIGN AND DATE THE SPECIAL VERDICT FORM

Signed: _____

Foreperson of the Jury: _____

Dated: _____

After this verdict form has been signed and dated, please submit a Jury Note to the Court Security Officer notifying the Court that the Jury has reached a verdict. Please return the verdict form to the Courtroom Deputy.